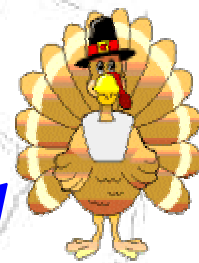
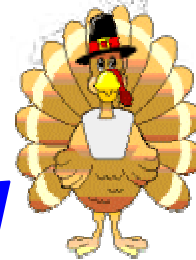
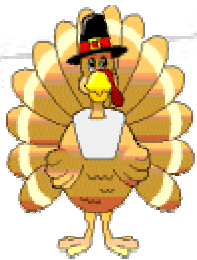


EPA REGION III
REC NEWSLETTER
NOVEMBER 2003

COMMANDER, NAVY REGION, MID ATLANTIC



*Working
for
Tomorrow's
Environment
Today*



We have made every effort to ensure that the information provided is accurate and that all significant Legislative, Regulatory, Federal, EPA, news and information have been included in the REC update. If you have an important issue or information that you would like to be included in our monthly update, or believe that information we have provided is incorrect, please contact us at (757) 445-9982 or via
E-mail: DODRECREGION3@cmar.navy.mil.

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LINK HELP

SECURE SITES – Links beginning with https:// may give a security error. To get around this problem copy the link and paste it in your browser.

DENIX - Many of our links are to DENIX. To subscribe to DENIX, go to:
<https://www.denix.osd.mil/denix/register.html> and register. It's a good thing.

If you find a dead link and you really want the information, please contact us at
DODRECREGION3@cmr.navy.mil and we will find the link for you. [Table of Contents](#)

If you or your organization would like to submit an article, story, or picture for future newsletters, please send them to [Gene Beale](#). Thanks.

SPOTLIGHT ON

NAVFAC Receives 2003 Presidential Award For Leadership In Federal Energy Management

In conjunction with the President's National Energy Policy, on 29 Oct the White House honored [five energy management teams](#) for their dedication and leadership in the conservation of energy. These teams, including more than 40 Federal employees and contractors, are responsible for efforts that have resulted in annual savings equivalent to the energy used in more than 13,000 typical homes (1.3 trillion Btu). The Naval Facilities Engineering Command (NAVFAC) Energy Program was recognized for [Outstanding Performance](#).

In its model program, NAVFAC Energy Program demonstrated outstanding overall performance in energy management and saved over 900 billion Btu per year, enough energy for 8,900 typical homes. The NAVFAC Energy Program used alternative financing mechanisms to fund energy efficiency improvements that produce significant guaranteed energy cost savings; installed renewable energy technologies and highly energy-efficient cogeneration plants, reducing dependence on power from the electric grid; used sustainable building design standards in planning for construction of all new buildings; and developed internet-based energy reporting tools to better track (and ultimately reduce) energy use and costs. The NAVFAC Team Members are Jim Heller, Donna Munyon,

Clyde Hoelzer, Mike Reavis, Matt Kelly, Gil Siqueido, Dan Magro, Bill Taylor, Jose Maniwang, and Bev Thompson, last year's Engineer of the Year for Public Works Center Norfolk.

"The Presidential Awards for Leadership in Federal Energy Management, established by Executive Order 13123, support President Bush's National Energy Policy, calls for America to modernize conservation efforts, increase energy supplies, accelerate the protection and improvement of the environment, and increase our nation's energy security," Secretary of Energy Spencer Abraham said. "This policy specifically directs Executive Branch departments and agencies to use energy more wisely. Today's award winners are leading by example and improving energy management practices in federal agencies."

"These winners contributed significantly to the energy and dollar savings achieved by the federal government and to meeting federal energy reduction goals. Most importantly, the winners set great examples for the rest of the federal government about what is possible and achievable with proper attention and focus," said Clay Johnson III, Deputy Director of Management for The Office of Management and Budget (OMB). [Table of Contents](#)

Folks At NSGA Sugar Grove Go Batty!

By Debbie Kilpatrick, NSGA Sugar Grove
Lions and tigers and bears oh my! *No*, there were no lions or tigers and the bear was just a local mother bear going about her business of caring for her young.

However there were bats everywhere, seventy bats to be exact, from July's bat survey. With the assistance of the



West Virginia Natural Resources Department, Naval Security Group Activity (NSGA) Sugar Grove's Environmental staff and *CTMI Healy* helped assist with the latest bat survey work and had much to tell about this educational and fun-filled evening.

For the third consecutive year, NSGA Sugar Grove has taken the lead on the Navy's commitment to survey bats and assist in finding ways to help conserve them. The surveying team placed nets on three sites at the Operations Site, including the primitive campground, beaver dam, and retention pond. Out of the seventy bats collected, the team identified six different species. The six species of bats surveyed included the little brown (*Myotis lucifugus*) bat, big brown (*Eptesicus fuscus*) bat, long-eared myotis (*Myotis septentrionalis*) bat, red (*Lasiurus borealis*) bat, hoary (*Lasiurus cinereus*) bat, and pips (*Pipistrellus subflavus*) bat. The work conducted over the two evenings will significantly assist the Government in better managing the habitat for these species. The survey process included sexing (male/female), aging, measuring, weighing, checking for parasites, banding, and taking a tissue sample for DNA research. The Navy is committed to assisting outside agencies in gathering the necessary information to help ensure the continual survival of these species.

What you can see here is the type of nets used at NSGA Sugar Grove in a process known as mist netting. The nets are hard to see especially by the young bats. They fall into a pocket formed at the bottom of the net and are held safely there until removed by trained personnel for processing.



Here are a couple of good websites if you are interested in furthering your knowledge about bats:

<http://www.dnr.state.wv.us/wildlife/endangered.htm>

<http://www.batcon.org/discover/species/usspecies.html>

<http://endangered.fws.gov/wildlife.html> [Table of Contents](#)

GENERAL INTEREST

Leavitt Sworn In As EPA Administrator

Michael O. Leavitt, the former governor of Utah, was sworn in 6 Nov as administrator of the Environmental Protection Agency. "My immediate priority is to visit EPA's administrative and program offices and meet as many members of our dedicated staff as quickly as I can," Leavitt said. "I want to hear from them what's important to the agency and for the public health and environment of our country as I prepare a more detailed vision for the Agency." The Senate confirmed Leavitt 28 Oct in an 88-8 vote that followed more than a month of rancorous debate that focused mostly on the Bush administration's environmental record. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/07Nov03/15.doc.html> [Table of Contents](#)

Allegation Assessment Document Released For Public Commentⁱ

The EPA announced in the 5 Nov Federal Register a document EPA personnel will use in assessing allegations of environmental justice violations. The agency is seeking public comment on the document, "Toolkit for Assessing Potential Allegations of Environmental Injustice." The document will be an internal EPA reference document, providing EPA staff with both a conceptual and a substantive framework to assess environmental justice allegations. It provides an overview of EPA's environmental justice assessment methodology, a tiered approach to the assessments, and a number of indicators to look for, such as environmental, health, social, and economic indicators. Written comments are due 4 Mar 04. If you have questions, contact Marla Hendriksson, Office of Environmental Justice, EPA, 202-564-1897, hendriksson.marla@epa.gov. The document may be found at: <http://www.epa.gov/compliance/recent/ej.html>. More information is available at: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-27851.pdf>.

Region 3 Launches Particle Pollution Forecastingⁱⁱ

During a press conference at the Philadelphia Franklin Institute Science Museum weather station, EPA Regional Administrator Donald Welsh discussed the health effects of particle pollution and the new EPA air quality forecasts available in major U.S. cities. Thirty-six major cities, including Philadelphia, Pittsburgh, Baltimore and Washington, D.C. will begin forecasting this month. For daily readings of air quality visit: www.epa.gov/airnow/.

EPA Invites Comments On Their Controversial Draft Report On Environment

The Environmental Protection Agency will hold a series of five public meetings to solicit comments and suggestions on its first-ever draft report on the overall state of the environment. The purpose of the meetings is to stimulate

dialogue and invite input into developing and improving environmental indicators in the future. The all-day meetings will be held 18 Nov in San Francisco, 29 Nov in Seattle, and 12 Dec in Dallas. For more information, contact Dawn Banks-Waller of EPA's Office of Environmental Information, Office of Information Analysis and Access, at (202) 566-0625. The complete article is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/15Oct03/14.doc.html> [Table of Contents](#)

Ex-California Governor Signs Environmental Bills

Former California Governor Gray Davis signed more than two-dozen environment-related bills before a 12 Oct deadline. The new laws include a variety of measures to improve the state's air and water quality and protect natural resources. One of the measures was S.B. 626, which gives the California Air Resources Board and local air districts until 1 Jan 05, to identify a list of feasible, cost-effective measures to control fine (PM-2.5) and coarse (PM-10) particulate pollution from all sources. It then calls on the agencies to adopt implementation schedules for the measures by 31 Jul 05. The design of the bill is to bring the State into compliance with a 2008 deadline to submit a plan to the EPA for meeting the new federal standard for PM-2.5 by 2012. For a list of the other bills signed, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/20Oct03/21.doc.html> [Table of Contents](#)

U.S. Court Postpones 'Ghost Ship' Hearing;

A federal court has delayed a hearing until April 2004 on whether nine former naval supply ships may be towed from Virginia to Great Britain for dismantling and recycling. A hearing was scheduled for 20 Oct. on whether to grant an injunction against exporting the remaining nine vessels. However, on 17 Oct., both parties filed a joint motion to postpone the hearing, which is rescheduled for 5 Apr 04. In addition, the court indicated the Maritime Administration must perform a supplemental environmental assessment before exporting any additional vessels. The Maritime Administration intends to prepare the assessment and to solicit public comment on the export of the ships. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/21Oct03/19.doc.html> [Table of Contents](#)

EPA Announces Availability Of \$1 Million For Grants For Summer Student Internships

The Environmental Protection Agency has approximately \$1 million for grants to educational institutions and nonprofit agencies to provide students with internships in hazardous waste management. In its two notices, EPA said cooperative agreements would be awarded under the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and

Recovery Act. Proposals are due by 4 Feb 04. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/10Nov03/30.doc.html> [Table of Contents](#)

TRUE CRIME STORIES

Chemical Worker Convicted Of Dumping De-Icerⁱⁱⁱ

A federal grand jury found a Colorado man guilty in violation of the Clean Water Act 15 Oct of dumping airplane de-icing chemicals into the Colorado River. On two counts of deliberately discharging industrial wastewater into a storm sewer, David Enriquez Ortiz faces up to three years in prison and up to \$75,000 in fines. The discharged pollutants killed a substantial number of fish and initiated an emergency cleanup response from the EPA. Ortiz was the operator for Chemical Specialties, which distills propylene glycol, an airplane de-icing chemical used at several nearby regional airports. [Table of Contents](#)

Colorado Court Imposes \$850,000 Fine On Chemical Firm

A Jefferson County court resented Thoro Products Co. to pay a \$100,000 fine for illegal storage of hazardous waste and a \$750,000 fine for criminal mischief. The judge also sentenced Richard Newman, chief executive officer of Thoro, to four years in prison for illegal storage of hazardous waste under Colorado's hazardous waste law. The state alleged the defendants knowingly dumped chlorinated solvents into the water table on an ongoing basis between 1964 and Sep 1997, resulting in a toxic plume measuring one-half mile wide by one and one-half miles long. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/20Oct03/20.doc.html> [Table of Contents](#)

Colorado Ski Area Will Pay Fine And Restore Area

Vail Associates Inc., which operates a ski resort in central Colorado, has agreed to pay an \$80,100 fine and complete

the restoration of a wetland area to settle alleged violations of the Clean Water Act during an expansion of the resort. Under a consent agreement lodged 17 Oct in the U.S. District Court for the District of Colorado, the company will restore wetlands filled in during expansion of an area known as the Blue Sky Basin in the fall of 1998 and summer of 1999. Vail Associates allegedly built a haul road through six acres of wetlands without a permit. In October 1999, EPA issued an administrative order requiring the company "to restore the rare, high alpine wetlands adversely impacted by the road." The complete article is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/29Oct03/17.doc.html> [Table of Contents](#)

Pipe Manufacturer In New Jersey To Pay \$1.4 Million On Air, Water Charges

Atlantic States, a New Jersey manufacturer of cast iron pipe, has agreed to pay penalties totaling \$1.4 million to resolve alleged violations of state air and water pollution control laws under two administrative settlements announced by the New Jersey Department of Environmental Protection. The company is required under the air pollution settlement to pay a \$1 million penalty and to reduce emissions of volatile organic compounds by an estimated 350 tons per year. Under the water pollution settlement, Atlantic States must pay a \$381,648 penalty and reduce water pollution. The complete article is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/03Nov03/27.doc.html> [Table of Contents](#)

FEDERAL NEWS

ALTERNATIVE FUELS

Navy Opens Military's First Biodiesel Production Facility

The Navy officially opened a biodiesel production facility that will recycle used cooking oil from a California installation into an alternative fuel for use in its diesel vehicles. Although the military has been using biodiesel at bases nationwide for some time, the facility at Naval Base Ventura County is the first military production

facility. The Naval Facilities Engineering Service Center worked with Biodiesel Industries Inc. over four years to develop the facility. The military is one of the largest users of B20, a mixture of 20 percent biodiesel and 80 percent traditional diesel fuel. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/04Nov03/29.doc.html> [Table of Contents](#)

CAA

Navy Not Subject To Punitive Damages For 250 Alleged Violations At Florida Facility^{iv}

The Clean Air Act does not waive the federal government's sovereign immunity to punitive damages, a federal appeals court ruled 28 Oct. The U.S. Court of Appeals for the Eleventh Circuit **reversed** a decision by the U.S. District Court for the Middle District of Florida that found the U.S. Navy was potentially subject to punitive damages for alleged violations of state and local air pollution control laws enacted pursuant to the act.

The city of Jacksonville sued the Navy in March 2001 in state court, alleging more than 250 violations on Navy facilities in the city from 1996 to 2001. A major military facility in the area is the Jacksonville Naval Air Station. On 3 Apr 01, attorneys for the Navy removed the case to federal district court and filed a motion to dismiss the suit on sovereign immunity grounds. The city then filed a motion for remand back to the state court. The district court denied both motions, finding removal was proper and that the Clean Air Act implicitly waived the sovereign immunity against punitive damages. The Eleventh Circuit Court of Appeals found that removal was proper as there is no explicit prohibition on the federal government exercising its authority under federal law to remove itself as a party to federal court. The appeals court also found that there was no unequivocal waiver of sovereign immunity against punitive damages under the act. The court found that while the federal facilities and citizen suit provisions of the act waived the government's sovereign immunity concerning coercive sanctions; it did not address punitive sanctions.

WHAT'S THIS MEAN? Nothing yet. The city of Jacksonville has until the end of the year to appeal this case. Furthermore, since the 6th (CA) and 9th (TN, OH, KY, MI) Circuit Courts of Appeal have ruled that the Clean Air Act **DOES** waive sovereign immunity, whereas the 11th Circuit Court (AL, GA, FL) has just ruled that the Clean Air Act **DOESN'T** waive sovereign immunity, it will likely be up to the Supreme Court to resolve this issue. [Table of Contents](#)

PSD And NSR Routine Maintenance, Repair and Replacement Exclusion^v

EPA has formally published the final rule changes addressing routine maintenance, repair and replacement under Prevention of Significant Deterioration (PSD) and New Source Review (NSR) programs. For the complete article and a list of exclusions, go to:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-26320.pdf>

Non-Attainment New Source Review: Reconsideration^{vi}

EPA is making two clarifications to the new source review (NSR) rule published 31 Dec 02 (67 FR 80186) to: (1) include a definition of "replacement unit"; (2) clarify that the plant-wide applicability limitation (PAL) baseline calculation procedures for newly constructed units do not

apply to modified units. EPA has denied reconsideration for all other issues raised by the petitioners over the final rules. This final action is effective on 6 Jan 04. EPA is releasing a document entitled, "Technical Support Document for Prevention of Significant Deterioration (PSD) and Non-attainment New Source Review: Reconsideration," **EPA 456/R-03-005**. This document contains: (1) a summary of comments received on the issues for which EPA granted reconsideration and EPA's response to comments; (2) a summary of petition issues for which EPA did not grant reconsideration, and EPA rationale for denying reconsideration. This document is available at: <http://www.epa.gov/nsr/petitionresponses10-30-03.pdf>. More information is available at: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-28104.pdf>

States Sue EPA Over NSR Changes

Twelve states and the District of Columbia sued the Environmental Protection Agency 27 Oct to overturn a rule published the same day to exempt thousands of electric power plants, petroleum refineries, and manufacturing facilities from new source review (NSR) requirements of the Clean Air Act. The rule modifies EPA's NSR regulations, which implement Clean Air Act provisions requiring major stationary sources of air pollution to install modern pollution controls when they make equipment or process changes that significantly increase emissions, although the rule allows exemptions for routine maintenance, repair, and replacement projects. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/28Oct03/13.doc.html>. [Table of Contents](#)

Model Rule From State, Local Regulators Offers Alternatives For NSR

A model rule unveiled by state and local air pollution regulators 16 Oct offers alternatives to states unhappy with EPA reforms to a major Clean Air Act enforcement program. Compiled by the State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO), the model rule offers options that are simpler but provide greater protection for air quality than EPA rules. The model rule, called "New Source Review: A Menu of Options," is designed to give states several options in implementing the reforms EPA issued in 2002 and 2003 for the new source review program. The STAPPA/ALAPCO proposal and supporting documents are available at:

<http://www.cleanairworld.org/newsourcemenue.html>. More information is available at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/17Oct03/22.doc.html> [Table of Contents](#)

DoD Asks EPA To Drop Workplace Injury Requirement From CAA Rule

The Defense Department is asking EPA to drop from its proposed Clean Air Act accident-reporting rule any further consideration of a requirement to submit data on workplace injuries and illnesses, noting the significant burden it would cause the military to collect the information. The rule, proposed 31 Jul, makes modifications to accident prevention and reporting requirements under EPA's risk management plan program. EPA says it plans to issue a final rule by 21 Jun 04. More information is available at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/21Oct03/04.doc.html>. [Table of Contents](#)

Final Rule Exempts Process Tanks From Emissions Limits For Storage Tanks^{vii}

EPA has amended the regulations addressing volatile organic liquid storage vessels (including petroleum liquid storage) to exempt tanks formerly subject only to record keeping, exempt process tanks, and add a definition for process tanks. For more information, contact Mark Morris of EPA's Emission Standards Division at (919) 541-5416, or morris.mark@epa.gov by e-mail. The complete article is available at: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-24774.pdf>.

Hazardous Emissions From Site Remediation Will Be Cut In Half By Final Rule

Hazardous air pollutants (HAPs) associated with the remediation of contaminated soil or groundwater and their off-site treatment are cut in half under a final rule published 8 Oct. Final national standards for HAPs established for site remediation activities do not differ substantially from the July 2002 proposal. The rule covers about 250 facilities. Emissions of benzene, toluene, vinyl chloride, and xylenes, which have been linked to cancer, aplastic anemia, liver damage, and neurotoxic effects, are expected to be cut by 50 percent under the rule. More information is available from Greg Nizich in EPA's Emission Standards Division at (919) 541-0246. The complete article is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/08Oct03/23.doc.html> [Table of Contents](#)

Industry May Apply For Exemptions For Substances Deemed For 'Essential Use'

The EPA is requesting applications by U.S. manufacturers to assist the United States in nominating "essential-use" substances for exemptions from the international phase out of ozone-depleting substances under the Montreal Protocol, according to a 14 Oct notice. The agency is specifically accepting applications for essential-use allowances for calendar years 2005 and 2006. The U.S. government would use these applications as a basis for its nominations to the United Nations at the Sixteenth Meeting of the Parties to

the treaty in 2004. Submit comments to Scott Monroe, Global Programs Division (6205J), U.S. EPA, 1200 Pennsylvania Ave., N.W., Washington D.C. 20460. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/14Oct03/14.doc.html> [Table of Contents](#)

EPA Seeks More Comment On Ozone Rule^{viii}

The EPA announced 21 Oct that it reopened the comment period on a proposed rule to implement a stricter eight-hour ozone air-quality standard. The original comment period closed 1 Aug, but the agency has decided to seek comments on alternative approaches raised by commenters. EPA also is proposing two possible approaches for classifying nonattainment areas. Comments may be submitted through 5 Nov to: Environmental Protection Agency, EPA West (Air Docket), 1200 Pennsylvania Ave., N.W., Mail Code: 6102T, Washington, D.C. 20460, Attn.: Docket No. OAR-2003-0079. For more information, contact John Silvasi of EPA's Office of Air Quality Planning and Standards at (919) 541-5666, or silvasi.john@epa.gov by e-mail.

EPA Region 3 Website Posts SIP Regulations^{ix}

The Region 3 Air Protection Division (APD) website has posted the text of State Implementation Plan (SIP) regulations on EPA's website for all five Region 3 states and D.C., as well as the SIP-approved regulations for Allegheny and Philadelphia counties. By 14 Nov, the division will also post documents summarizing SIP-approved attainment plans, reasonable further progress plans, and air quality maintenance plans for all Region 3 states. The posting of SIP regulations on the EPA website will improve public access to the text of significant environmental requirements, as well as improve EPA's enforcement, permitting and compliance assistance efforts arising under the Clean Air Act. The APD website link is: <http://yosemite.epa.gov/r3/r3sips.nsf/SIPIndex?OpenForm>.

Air Pollution Will Continue Decline

The United States is reducing air pollution and the reductions will continue. The past 20 years have seen a large decline in the levels of particulate matter and ozone in the air in the United States. Fleet turnover will eliminate more than 80 percent of car and truck emissions during the next 20 years even though the number of cars will continue to grow. This is in part because of increasingly stringent emissions standards and gasoline requirements. This decline has been accompanied by large reductions in emissions of volatile organic compounds, carbon monoxide, and nitrogen oxides from vehicles despite an increase in driving, increased numbers of pickup trucks and sport utility vehicles, and higher gasoline use. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/24Oct03/17.doc.html> [Table of Contents](#)

CERCLA

State Regulators Want Changes To BRAC Cleanup Processes For 2005

State regulators are calling for changes to the way the Defense Department approaches closing base cleanups, urging greater military oversight of cleanup contractors and supporting legislative modifications to give states an increased role in declaring properties ready for transfer. The Association of State & Territorial Solid Waste Management Officials (ASTSWMO) has issued a white paper outlining lessons learned from previous BRAC remediation; highlighting areas of improvement necessary for the next BRAC round in 2005; and alerting state cleanup officials "to probable and possible situations that will arise as they prepare to deal with the cleanup of contaminated sites at closed or closing bases." The paper is available at:

<http://www.astswmo.org/Publications/MSWord/BRAC%20paper%20%20and%20cover%20-%20email.doc>.

More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/04Nov03/17.doc.html>. [Table of Contents](#)

EPA Seeking Comment On Draft Munitions Policy, Handbook

EPA is seeking comments on updated draft guidelines for overseeing the cleanup of military ordnance and explosives (OE), as well as a revised handbook on managing OE at closed, transferring and transferred ranges. The guidelines include new information on state and tribal roles and responsibilities and on the use of models to help plan OE remediation work. The handbook has new chapters dealing with the issues of underwater OE and how the cleanup and remediation of chemical munitions and agents is different from conventional munitions. The guidelines and handbook are available at: <http://www.epa.gov/swerffr/>. Comments on the updated documents are due 12 Dec 03. The complete article is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/04Nov03/14.doc.html>. [Table of Contents](#)

EPA And Pentagon Reach Agreement On Cleanup Authority Dispute

EPA and the Defense Department have reached agreement on a long-running dispute over which agency has final authority once a cleanup remedy has been chosen, with EPA backing a DOD-proposed two-track approach to implementing remedial objectives. The approaches recognize EPA's cleanup and enforcement authority after cleanup decision documents are signed. After months of negotiations with EPA and within the Pentagon, the DoD will support both a detailed set of Navy principles and a more philosophical Air Force approach to implementing land use controls (LUCs). The so-called post-records of decision (ROD) dispute has delayed 75-90 military cleanups at NPL sites, and countless other cleanups where

state officials have top oversight. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/04Nov03/01.doc.html>. [Table of Contents](#)

Land Use Controls Agreement

Since the Department of Defense (DoD) /Environmental Protection Agency (EPA) Model Interagency Agreement (IAG)/Federal Facility Agreement (FFA) was developed in 1988, EPA and Navy have gained considerable knowledge and understanding about post-Records of Decisions (ROD) activities, especially Land Use Controls (LUCs). Thinking, policies, regulations and procedures concerning LUCs have evolved considerably since DoD and EPA developed the 1988 FFA model language. New statutes and regulations related to LUCs are being considered in many states. Accordingly, EPA and the Department of the Navy (DON) believe that a set of principles will assist Navy field commands and EPA Regions to better implement our respective Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) responsibilities. The Principles, linked below, do not replace or substitute for any existing CERCLA statutory or regulatory requirement. Rather they provide a mutually agreeable framework to provide a more efficient process to implement LUCs at National Priority List (NPL) installations.

These Principles will guide the EPA and DON personnel involved in these decisions. They are written in full knowledge that State regulatory and trustee organizations have independent responsibilities and authorities. EPA and the DON recognize the importance of the state role in helping to ensure a cleanup is protective of human health and the environment. EPA and DoD will jointly develop a communications plan to ensure we include the States in this important issue. The Principles are available at:

http://www.cnrma.navy.mil/REC/installation_restoration.htm [Table of Contents](#)

First No Action Assurance Letter Issued To A "Contiguous Property Owner"

On 12 Sep 03, the Regional Administrator for Region 9 issued the Agency's first No Action Assurance Letter, a letter assuring a "contiguous property owner" that EPA will not pursue enforcement action. The EPA granted the letter to the Fowlers, long-time residents of Salinas, California whose family ranch is adjacent to the Firestone Tire & Rubber Co. Superfund site. The EPA considers the Fowlers "contiguous property owners" because the groundwater underlying their property was contaminated yet they were not considered potentially responsible parties (PRPs) and were not affiliated with the PRP.

Between 1963 and 1980, Firestone conducted tire manufacturing operations on the site that resulted in the

release of solvents and other chemicals into the soil and groundwater, resulting in 1,1,1 trichloroethane and 1,1 dichloroethylene contamination. Firestone was identified as the potentially responsible party. They were required through a 1989 Record of Decision to excavate 65,000 cubic yards of contaminated soil and 9,000 gallons of hazardous liquids. They were also required to install a pump-and-treat system for treating contaminated groundwater and preventing contamination migration. A 5-year review of the system found that the remedy was protective of human health and the environment.

The Fowlers requested the assurance letter from EPA so they could secure bank loans to redevelop their property. During a recent attempt to secure a loan, a bank had questioned the Fowlers' potential liability for contamination on their property. CERCLA Section 107(q), a new CERCLA provision added through the Small Business Liability Relief and Brownfields Revitalization Act of January 2002, allows EPA to grant contiguous property owners assurance through a No Action Assurance letter that EPA will not pursue enforcement action. To be granted this assurance, the owner must demonstrate that they did not contribute to site contamination, be cooperative, and not be a potentially responsible party (PRP) or affiliated with the PRP. The Fowlers cooperated with the remediation of the Firestone Superfund site in a number of ways, including allowing monitoring wells on their own property for assessing groundwater contamination.

For additional information, contact Bill Keener, EPA Region 9 Office of Regional Counsel, (415) 972-3940.

In ROD We Trust

Naval Air Station, Patuxent River's installation restoration team, the PAX Pirates, successfully completed a No Further Action Record of Decision (ROD) for Site 27 at Naval Air Station Patuxent River. Site 27 was reportedly used for disposal of construction debris and rubble in the 1940s when the base was constructed. However, (are you ready for the legalese?) investigation activities conducted at Site 27 did not identify evidence of disposal of construction debris, rubble or other wastes; soil samples collected at Site 27 yielded concentrations of iron consistent with site-specific background levels which were also less than the

non-carcinogenic Risk-Based Concentration; and chemical constituents detected in groundwater were not identified as contaminants of potential concern. Thus, PAX determined that remedial action was not necessary. Site 27 will be the location for the new Maryland Army National Guard training center.



Capt. Dane Swanson, Commanding Officer, NAS Patuxent River signs Site 27 ROD.

Davis Signs Measure Insulating DoD Oversight Jobs From Cuts

Former California Gov. Gray Davis signed legislation 12 Oct to protect state jobs related to overseeing military cleanups from staff cutbacks. Without the measure, cleanups at DOD sites would be delayed and future funding to both the state and EPA Region IX for cleanup oversight would be at risk. The new law exempts federally funded environmental positions related to oversight of cleanup at military bases from the hiring freezes Davis mandated in July, and from a proposed 10 percent cut across the board in personnel services. More information is available at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/21Oct03/09.doc.html> [Table of Contents](#)

EPCRA

Toxic Chemical Release Reporting^{vi}

EPA will hold an on-line public dialogue regarding options for reducing the burden on the regulated industry associated with the Toxics Release Inventory (TRI) program. EPA is also soliciting comments on potential enhancements to its TRI-ME reporting software. Comments are due 5 Jan 04.

EPA published a background paper on various burden reduction options. The paper is available at: http://www.epa.gov/tri/phase2/phase_2.htm. More information is available at: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-27850.pdf>

NEPA

National Environmental Policy Act Task Force Report^{xii}

The Council on Environmental Quality (CEQ), NEPA Task Force has released a report of their efforts to improve federal agency decision making by modernizing the NEPA process: "The Task Force Report to the Council on Environmental Quality--Modernizing NEPA Implementation." The report is available at:

<http://ceq.eh.doe.gov/ntf/report/index.html>. More

information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-24527.pdf>.

Navy, Environmental Groups Agree To Limits On Use Of New Sonar System

The U.S. Navy will significantly limit the use of a high-powered sonar system designed to detect submarines at

great distances in order to prevent potential harm to sea mammals and endangered marine species, under an agreement with environmental groups announced 13 Oct. Under terms of the negotiated agreement, the Navy may use the sonar system only in limited areas of the world's oceans, and during certain seasons. The Navy will limit deployment to specific areas along the eastern seaboard of Asia (around North Korea and China), which includes portions of the Sea of Japan, the East China Sea, the South China Sea, and the Philippine Sea. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/15Oct03/18.doc.html> [Table of Contents](#)

RCRA

RCRA Burden Reduction Initiative^{xiii}

EPA is requesting additional comment on ideas for reducing the recordkeeping and reporting burden imposed on the states, the public, and the regulated community under RCRA Subtitle C hazardous waste regulations. The notice includes ideas gathered during a previous public comment period (January 2002). Some suggested changes are related to:

- Small Quantity Generator Tanks and Tank Ancillary Equipment Inspection Frequencies
- RCRA/OSHA Overlap in Emergency Response Training
- Professional Certifications
- General Facility Standards
- Groundwater Monitoring Requirements
- Military Munitions

If you have comments or concerns, send them via email to [Gary Koerber](mailto:Gary.Koerber@epa.gov) or call (757) 444-5155 by 08 Dec 03. More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-27270.pdf>

Definition Of Solid Waste-Exemption For Recycled Materials^{xiv}

In response to court decisions, EPA is proposing to exempt certain recyclable hazardous secondary materials from regulation as hazardous waste, by making changes to the definition of solid waste. EPA is also considering and requests comments on whether to expand the proposed exemption from RCRA regulation to cover all legitimately recycled materials without imposing the condition that the recycling occur within the generating industry group. If you have comments or concerns, send them via email to [Gary Koerber](mailto:Gary.Koerber@epa.gov) or call (757) 444-5155 by 19 Jan 04. More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-26754.pdf> [Table of Contents](#)

SPCC

Characteristics Of Spilled Oils, Fuels, And Petroleum Products^{xv}

EPA has released a report characterizing the typical properties of various crude oils and refined products (EPA/600/R-03/072 - Characteristics of Spilled Oils, and Petroleum Products 1. Composition and Properties of Selected Oils). The data presented in this report

characterize oil composition by several approaches, and provide physical transport properties at corresponding levels of weathering and temperature. The report is available at:

<http://www.epa.gov/athens/publications/reports/EPA-600-R03-072-OilComposition.pdf> [Table of Contents](#)

WATER

Draft Language Defining U.S. Waters Narrows Clean Water Act Protections

Draft wetlands regulatory language defining "waters of the United States" drawn up by the U.S. Army Corps of Engineers and the Justice Department would significantly scale back existing regulatory language and was done without input from the EPA. The draft, made available by the National Wildlife Federation, revises regulations at **33 CFR 328** identifying waters within the jurisdiction of the Clean Water Act. Waters of the United States would be defined in the draft language as territorial seas, traditional navigable waters, tributaries to navigable waters, and wetlands adjacent to those waters. **33 CFR 328** is available at:

<http://www.usace.army.mil/inet/functions/cw/cecwo/reg/33cfr328.htm>. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/07Nov03/25.doc.html> [Table of Contents](#)

World Water Monitoring Event Launched^{xvi}

In an effort to raise awareness about water quality monitoring and how individual actions can affect water quality, PA officials joined local communities 17 Oct in observing the first World Water Monitoring Day. Former EPA Acting Administrator Marianne Lamont Horinko joined local high school students and state water regulators on a Chesapeake Bay excursion aboard a research vessel to sample fish, phytoplankton, and water quality. The event, coordinated by America's Clean Water Foundation and the International Water Association, was designed as a platform for educators and volunteers recognizing the importance of monitoring and water quality. More information is available at <http://www.worldwatermonitoringday.org>.

Diverting, Remixing Of Excess Wastewater Allowed Under Certain Conditions

Sewage treatment plants will be able to route excess wastewater around part of their treatment system during wet weather and remix it with treated wastewater if certain conditions are met according to a draft guidance announced by the EPA 2 Nov. The practice is designed to prevent the biological treatment system from being inundated during wet weather when wastewater flows often exceed the facilities' storage capacity. The Clean Water Act requires all discharges to meet secondary or biological treatment standards, which address biochemical oxygen demand compounds. The blended discharges are disinfected, usually through chlorination, before being discharged. If you have comments or concerns, send them via email to [Will Bullard](mailto:Will.Bullard@epa.gov) or call (757) 444-5153 by 2 Jan 04. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/04Nov03/34.doc.html> [Table of Contents](#)

Ban On Mercury In Dental Fillings

Dental practices have come under fire from environmental advocates and others who want mandatory requirements for dental offices to reduce the effects of mercury pollution. The dental association is proposing that EPA convene a working group composed of representatives from the agency, American Dental Association (ADA), state regulators, amalgam manufacturers and recyclers, and dental disposal companies to identify and eliminate barriers to recycling. Dentists also propose that EPA work with the dental association to develop guidance that would recommend approaches for states to take to encourage the reduction of amalgam discharges from dental offices to sewer systems. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/10Oct03/27.doc.html> [Table of Contents](#)

Metal Products & Machinery Regulations

The Department of Defense (DoD) Clean Water Act Steering Committee has developed an information paper on the Metal Products & Machinery (MP&M) Regulations. This paper provides information on the applicability and requirements of the MP&P regulations to operations that are specific to DoD.

The MP&M regulations are applicable to process wastewaters directly discharged from oily operations (as defined at **40 CFR § 438.2**) to surface waters from existing or new DoD facilities engaged in manufacturing, rebuilding, or maintenance of metal parts, products, or machines for use in the 16 above-mentioned MP&M industrial sectors. Many DoD operations are categorized into one of these MP&M industrial sectors. **However, wastewater discharges introduced into Publicly Owned Treatment Works or a Federally owned and operated Treatment Works Treating Domestic Sewage (TWTDS) are not subject to the MP&M rule.** A copy of the paper is available at:

https://www.denix.osd.mil/denix/DOD/Working/CWASSC/dod-cwassc-info-mpm0923_03.pdf [Table of Contents](#)

Guidance For State Grants To Address Runoff Emphasizes Watershed Approach

Guidance for distributing grants for state nonpoint source programs directs that \$100 million be used for watershed-based plans to address runoff in impaired lakes and streams. The guidance will help states implement their nonpoint source management programs under Section 319 of the act. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/23Oct03/17.doc.html>. The guidelines are available at:

www.epa.gov/owow/nps/cwact.html [Table of Contents](#)

STATE NEWS



DELAWARE



Senator McBride Highlights Beneficial Use Of Old Tire Chips

Representatives from the Department of Natural Resources & Environmental Control Committee (DNREC) accompanied Senator David B. McBride, Chair of the Senate Natural Resources & Environmental Control Committee, in hosting a special event at a residential septic system installation site at the Village of Jefferson Roads. This past summer DNREC approved the use of tire chips as a substitute for aggregate normally used to construct the

drain fields of septic systems. The approval followed extensive groundwater testing by DNREC's Division of Water Resources at two demonstration septic systems utilizing the tire chips. Under DNREC's approval for use in septic systems, only tire chips from specific suppliers who have utilized a higher level of quality control and met minimum specifications established by DNREC can be used. More information is available at:

<http://www.dnrec.state.de.us/DNREC2000/Admin/Press/Story1.asp?PRID=1056> [Table of Contents](#)



DISTRICT OF COLUMBIA



District Of Columbia Awarded Grant For Water Pollution Controls^{xvii}

EPA will award a grant of more than \$1 million to the District of Columbia to help control pollution and improve water quality in the rivers around the District of Columbia, as part of the Clean Water Act Water Pollution Control

Program. EPA will provide this financial assistance to help conduct water treatment facility inspections, develop total maximum daily load allocations, water quality monitoring, program management, and development of stronger water quality standards. [Table of Contents](#)



PENNSYLVANIA



Rendell Administration Announces Regional Water Resources Committees

On behalf of Governor Edward G. Rendell, Department of Environmental Protection (DEP) Secretary Kathleen A. McGinty announced the appointment of six Regional Water Resources Committees. Each committee will help guide the development of a new State Water Plan for Pennsylvania as required by the Water Resources Planning Act (Act 220 of 2002). The Water Resources Planning Act requires DEP to develop a new State Water Plan over the next five years working with regional committees and a statewide committee. For more information on water resources visit DEP's website at www.dep.state.pa.us. The article is available at:

<http://www.dep.state.pa.us/newsreleases/default.asp?ID=2628&varQueryType=Detail> [Table of Contents](#)

Pennsylvania's UST Program Now Authorized By State^{xviii}

A notice published in the Federal Register 11 Sep authorized Pennsylvania's underground storage tank program (UST) in accordance with Subtitle I of the Resource Conservation and Recovery Act. As of that date, the Pennsylvania state program will operate in lieu of the federal program. All states in Region 3 now operate under state-authorized underground storage tank programs.

Evaluation Of Underground Storage Tank Liners

The Department of Environmental Protection adopted a final guidance on the procedures and guidelines for underground storage tank lining evaluations that will assist tank lining evaluators and tank owners to achieve compliance with regulatory requirements. The guidance went into effect 18 Oct 03. For more information, contact

Ray Powers at (717) 772-5551. The guidance is available at:
<http://www.dep.state.pa.us/eps/docs/cab200149b1126000/fldr200149e0051190/fldr200149e05141a5/doc20039g83831000/257-3120-001.pdf> [Table of Contents](#)

Architectural And Maintenance Coatings

The Department of Environmental Protection adopted a rule to reduce the VOCs emitted from architectural and industrial maintenance (AIM) coatings. This regulation sets

specific VOC content limits, in grams per liter, for 46 AIM coating categories and requires more stringent VOC content limits than the Federal rule. This rulemaking is part of the Commonwealth's strategy to achieve and maintain the ozone standard. The regulation went into effect 25 Oct 03. For more information, contact Terry Black at (717) 787-2030. The final rule is available at:

<http://www.pabulletin.com/secure/data/vol33/33-43/2067.html> [Table of Contents](#)

ECO TIP OF THE MONTH

No More Tears

Think outside of the box - don't wash your hair every day. My hairstylist first told me this about a year ago. She said my hair would be healthier if I didn't wash and dry it every day. The Virginia Pilot ran an article last year with the same message. I gave it a try. My hair is healthier and it saves me a ton of time in the morning. I also buy a lot less shampoo and conditioner. How is this good for the environment? It saves water, reduces shampoo and

conditioner use - less chemicals, energy, and packaging used to make those products. If you blow dry your hair, it saves energy too. Just something to think about.

Editor's note: Even though this article is written in first person narrative, I, Gene Beale, did not write it. Really. I swear. The shy author wishes to remain anonymous.

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CHESAPEAKE BAY PROGRAM

Chesapeake Watershed CESU

REC Chesapeake Bay program coordinator attended the annual executive meeting of the Chesapeake Watershed Cooperative Ecosystem Studies Unit (CW CESU) held at University of Maryland, Baltimore Campus. The CW CESU is an ongoing partnership between the federal government (BLM, USGS, DoD and NPS) and academic institutions and their partners (University of Maryland, George Mason University, Penn State, University of District of Columbia, William and Mary/VIMS, Baltimore National Aquarium, and Baltimore Long Term Ecological Research Project) in the bay watershed. The stated goal of the CW CESU is to provide research, technical assistance and education services to federal land managers, environmental and natural/cultural resources personnel; develop and maintain a regional network of expertise in the biological, physical, social and cultural sciences; provide interdisciplinary problem-solving at multiple scales in an ecosystem context at local, regional and national levels; and foster long-term working collaborations among federal agencies, universities and their partner institutions. The CW CESU represents an excellent vehicle for DoD to accomplish research, technical assistance and education projects utilizing the best available science by partnering with academic institutions in the bay watershed. It has the added benefit that DoD and other federal agencies have already signed a pre-negotiated cooperative agreement and the overhead rate is currently fixed at 15 percent. Execution of work is as simple as picking a CW CESU partner institution and developing and implementing a task

agreement with a scope of work, timetable and deliverables. Full details regarding the existing cooperative agreement and the types of work currently being accomplished by federal land managers via the CW CESU can be found at: <http://www.cesu.org/cesu/currentcesus/chesapeakewatershed/index.html> [Table of Contents](#)

DoD Partnership Helps Restore Bay Grasses

By Glenn Markwith, Navy/DoD Bay Coordinator
Personnel from Langley Air Force Base, Naval Air Station Patuxent River, MD, and Baltimore National Aquarium came together 5-9 Oct 03 with one common goal in mind - restoration of submerged aquatic vegetation (SAV) in the Back River in Hampton Roads, VA. The project was the brainchild of Patsy Kerr at Langley Air Force Base who has been involved in the annual effort for the past 6 years. "This project is in direct support of the overall Bay program goal of restoration and protection of vital habitat within the Chesapeake Bay and its tributaries. It's our grassroots effort to restore eelgrass (*Zostera marina*) in the Back River ecosystem and to support the recently established strategy to accelerate protection and restoration of SAV throughout the Chesapeake Bay", according to Kerr. This new strategy has four essential elements: (1) achieve and maintain water quality necessary for SAV growth; (2) protect existing areas of SAV; (3) accelerate SAV restoration by planting 1,000 acres of new SAV beds by 2008; and (4) strengthen the scientific and public support for SAV protection and restoration through enhanced SAV research, citizen involvement and education.



Patsy Kerr, Langley AFB, and Glen Page, Baltimore National Aquarium, get started on another day of SAV restoration work in the Back River

“Besides having the obvious value of enhancing the Bay’s living resources and vital habitat, this work has also helped to advance the SAV restoration science throughout the rest of DoD” said Glen Page of the Baltimore National Aquarium. “Personnel from Naval Air Station (NAS) Patuxent River, MD that have assisted in this effort can now apply the principles they have learned elsewhere in the Bay watershed.” Jackie Smith from NAS Patuxent River agreed. “We found out about this opportunity because the Air Force assisted us in the recent restoration work at Bloodsworth Island in the main stem of the Bay. We met Patsy through the inter-service DoD Bay Program Quality Management Board (QMB) meetings and the rest is history. This was just a natural outgrowth of our shared commitment to restoration of the Chesapeake Bay – we were just glad to be a part of the effort!”

For more information regarding the overall value of SAV to the Bay’s ecosystem, please visit:

<http://www.chesapeakebay.net/baybio.htm>. To view the draft “Strategy to Accelerate the Protection and Restoration of Submerged Aquatic Vegetation in the Chesapeake Bay”, please visit: <http://www.cnrm.navy.mil/REC/Updated7-21-03SAV%20restoration%20and%20protec.pdf>. For more information regarding the DoD Chesapeake Bay program, please contact the DoD Bay program coordinator at (757) 444-5152. [Table of Contents](#)



Jackie Smith (NAS, Patuxent River, MD) passes eelgrass shoots to a waiting diver for transplanting

Bay Grasses Increase To Highest Levels In 24 Years^{xix}

The distribution of Chesapeake Bay submerged aquatic vegetation (bay grasses), increased to an estimated 89,658 acres bay wide in 2002 - the highest levels since tracking began in 1978, according to Chesapeake Bay Program data. Scientists attribute the large increase to improved water quality and the near-record drought conditions throughout the bay watershed in 2001 and 2002. The drought helped underwater grasses prosper by reducing the amount of nutrients and sediment flowing into the bay and its rivers. However, scientists are concerned the above-average precipitation in 2003, combined with Hurricane Isabel, may have hindered bay grass growth this year. The updated indicator may be viewed at the Chesapeake Bay Program web site: <http://www.chesapeakebay.net/status.cfm?sid=88>

Nitrogen Limits For Treatment Plants Needed To Restore Chesapeake Bay

Harm caused by excessive nutrients in the Chesapeake Bay could be reversed if water pollution permits for sewage treatment plants contained nitrogen limits. The Chesapeake Bay Foundation said that even though nitrogen is known to be a significant cause of impairment for the bay, most sewage treatment plants do not utilize technologies to reduce discharges of the nutrient and most permits do not require it. Currently only 10 of 265 major treatment plants in Maryland, Pennsylvania, Virginia, and Washington, D.C. employ state-of-the-art technology, such as the biological nutrient removal system. More information is available at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/30Oct03/26.doc.html> [Table of Contents](#)

CONTINUING EDUCATION

CONFERENCES

Partners In Environmental Technology Symposium, 2-4 DEC 03, Washington D.C.

The Strategic Environmental Research and Development Program (SERDP) and the Environmental Security Technology Certification Program (ESTCP) are hosting a DoD Symposium and Workshop. The Symposium and Workshop will be held 2-4 Dec 03 at the Marriott Wardman Park Hotel in Washington D.C. The theme of the program is "*Meeting DoD's Environmental Challenges: Sustaining Our Ranges; Reducing Environmental Liabilities.*" For reservations, call (800) 228-9290. For more information, email partners@hgl.com or call the contact line at: (703) 736-4548. [Table of Contents](#)

Navy Natural Resources Conference, 8-12 DEC 03, Jacksonville, FL

The conference, sponsored by Commander, Navy Region South-East, provides an excellent opportunity for the natural resources community from all Navy commands to meet and discuss current operational, organizational, technical and resourcing issues. In order to facilitate logistical planning, register for the conference by 25 November. Access the revised agenda, registration and hotel information via the following link: www.navyseic.com/NNR2003

User name use: NNR2003 (case sensitive)

Password use: N456 (case sensitive).

For website access, registration, and logistical questions, please contact Robyn Sweet (703) 416-1023, ext. 1430, rsweet@geo-centers.com. For general questions, contact Aileen Smith, aileen.smith@navy.mil (703) 602-6844. For

command level questions, please contact Ron Tickle, CNO N456 (703) 602- 2787, ronald.tickle@navy.mil.

Conference On Sustainable Range Management, 5-8 JAN 04, New Orleans, LA

Battelle is organizing the conference to provide a venue for exchange of information benefiting all stakeholders involved with range management issues. The conference will be at the Astor Crown Plaza, Alexa Hotel 5-8 Jan 04 in New Orleans, LA. The technical programs will involve urban growth and encroachment, management of airspace, noise abatement, air quality management, threatened and endangered species habitat protection, military munitions response program, and cleanup of munitions and explosives of concern. For further information, visit the conference website at:

www.battelle.org/rangecon. [Table of Contents](#)

30th Environmental And Energy Symposium & Exhibition, 5-8 APR 04, San Diego, CA

The National Defense Industrial Association presents the 30th Environmental and Energy Symposium & Exhibition. The theme of this year's symposium is "DoD Transformation Leading Towards Results-Based Environmental And Energy Programs." The Manchester Grand Hyatt San Diego is the headquarter hotel for the symposium. For reservations, call (619) 232-1234. For more information on how your organization can increase it's exposure at this event, please contact [Sam Campagna](#) at (703) 247-2544. [Table of Contents](#)

TRAINING

Organizational Guide to Pollution Prevention Workshop 9-11 DEC 03, Boston, MA, Dallas, TX, Philadelphia, PA

A new EPA publication, "An Organizational Guide to Pollution Prevention," (EPA/625/R-01/003) is featured in a 3-day workshop. Class information and free registration at: <http://www.epa.gov/tbnnrmrl/p2workshop.htm>

The document and an accompanying CD are also available for free at:

<http://oaspub.epa.gov/pls/ceripubs/ceripubs.PUB?pubid=155> and

<http://oaspub.epa.gov/pls/ceripubs/ceripubs.PUB?pubid=156>

For more information, go to:

<http://www.epa.gov/tbnnrmrl/p2workshop.htm>

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Natural Resources Compliance Course, 27-30 JAN 04, 22-25 JUN 04, San Antonio, TX, Aberdeen, MD

This is an ISEERB - approved course. The course offers instruction in specific natural resources law, regulations, policies, Executive Orders, DOD instructions, and other guidance, noting Service-specific requirements. The course addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. For further information, visit <https://www.cecos.navy.mil>.

**Introductory Health Risk Communication Workshop,
17-19 FEB 04, 15-17 JUN 04, Washington D.C,
Edgewood, MD.**

Hosted by USACHPPM, the workshop will provide the participant with a basic understanding of concepts, principles, and process of effective risk communication, including building strategic stakeholder relationships that provide the framework for discussion of complex risk issues. For further information, contact Kita Perry, (410) 436-3515, e-mail: suaquita.perry@apg.amedd.army.mil, or visit the website at:

<http://chppm-www.apgea.army.mil/risk/> [Table of Contents](#)

Historic Preservation Law and Section 106 Compliance Course, 24-26 FEB 04, 20-22 APR 04, 20-22 JUL 04, Jacksonville, FL, San Antonio, TX, Annapolis, MD

The course emphasizes legal compliance (the National Historic Preservation Act Section 106 process) through the use of actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes the stewardship role, use of historic properties, and communications with related oversight agencies. This is an Inter-Service Environmental Education Review Board (ISEERB) - approved course. For further information, visit <https://www.cecos.navy.mil> [Table of Contents](#).

2nd Annual Environmental Training Symposium, 1-5 MAR 04 Kansas City, MO

Hosted by the US Army Engineer School, the symposium offers an excellent opportunity to train individuals at minimal cost. There is no charge for the training. Training topics include: (1) satellite accumulation point operator, 2) hazardous material handler; (3) HAZWOPER 8 hour refresher, 4) P2, and (5) spill prevention and response. For further information, contact James Flores, US Army, (573) 563-4124. [Table of Contents](#)

Introduction To Cultural Resource Management Laws and Regulations 16-18 MAR 04, 17-19 AUG 04, New Orleans, LA, Bangor, ME

This is an ISEERB - approved course. The course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. For further information, visit <https://www.cecos.navy.mil> [Table of Contents](#).

EPA Environmental Response Training Program, Multiple Dates/Multiple Locations

As part of EPA's comprehensive program for protecting the public and the environment from hazardous materials, the Office of Emergency and Remedial Response has developed the Environmental Response Training Program. The training courses in the program are designed for personnel who respond to or who investigate and clean up abandoned hazardous waste sites. The latest information on training is available at:

<http://www.ertresponse.com/Training/index.htm>.

For further information, contact Bruce Potoka, USEPA, (513) 569-7537, e-mail: potoka.bruce@epa.gov.

Qualified Recycling Program Course Multiple Dates/Multiple Locations

The course provides hands-on training on how to identify and market recyclable materials. The course is for any person or organization that generates recyclable materials, is associated with an installation recycling program or DoD precious-metals recovery program, or works for a Defense Reutilization and Marketing Office (DRMO). For further information, visit the Environmental Management Department's course information website at:

<http://www.almc.army.mil/EMD/Page5.html>

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EPA Regions 1, 2, 3, & 5 Training Courses Multiple Dates/Multiple Locations

EPA Regions 1, 2, 3, & 5 continually offer training on a variety of subjects. For further information regarding the types of courses, dates, and locations, visit EPA's training exchange website at: www.trainex.org [Table of Contents](#)

FY04 Capital Hill Workshop, Washington DC

A 4-day workshop is being held in Washington DC. The workshop is Navy specific. It focuses on the current status and insider analysis of legislative issues of most interest and importance to officials of the Department of the Navy. The workshop, made possible by the Government Affairs Institute, is on multiple dates with a tuition cost of \$800. Dates, deadlines and details are available at <http://www.georgetown.edu/ssce/gai>. [Table of Contents](#)

MEET THE REC

STAFF

<p>Christine H. Porter Head, Regional Environmental Coordinator (REC) Office chporter@cmar.navy.mil (757) 445-9984 DSN 565-9984</p> <p>LCDR Dominick G. Yacono REC Counsel dyacono@cmar.navy.mil (757) 322-3057 DSN 262-3057</p> <p>Will S. Bullard Water/Wastewater, VA/PA/WV Issues and Installations wbullard@cmar.navy.mil (757) 444-5153 DSN 564-5153</p>	<p>Gary M. Koerber, P.E. Air/HW/SW, MD/DC/DE Issues and Installations gkoerber@cmar.navy.mil (757) 444-5155 DSN 564-5155</p> <p>Glenn P. Markwith DoD Chesapeake Bay Program gmarkwith@cmar.navy.mil (757) 444-5152 DSN 564-5152</p> <p>Gene W. Beale Legislative Assistant gbeale@cmar.navy.mil (757) 445-9982 DSN 565-9982</p>
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If you would like to receive the REC Newsletter, please send an email to DODRECREGION3@cmar.navy.mil with your name, command, address, phone number, and email.
For old issues go to Denix or www.cnrma.navy.mil/rec.

ⁱWeekly Federal Register Summary, Week Of 11/2/2003, Prepared By Naval Facilities Engineering Service Center

ⁱⁱhttp://www.epa.gov/region03/ebytes/ebytes10_03_03.html

ⁱⁱⁱ<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/17Oct03/28.doc.html>

^{iv}<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/03Nov03/30.doc.html>

^vWeekly Federal Register Summary, Week Of 10/26/2003, Prepared By Naval Facilities Engineering Service Center

^{vi}Weekly Federal Register Summary, Week Of 11/2/2003, Prepared By Naval Facilities Engineering Service Center

^{vii}Weekly Federal Register Summary, Week Of 10/19/2003, Prepared By Naval Facilities Engineering Service Center

^{viii}<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/22Oct03/25.doc.html>

^{ix}http://www.epa.gov/region03/ebytes/ebytes10_17_03.html

^x<http://www.epa.gov/compliance/resources/newsletters/cleanup/text.html#8>

^{xi}Weekly Federal Register Summary, Week Of 11/2/2003, Prepared By Naval Facilities Engineering Service Center

^{xii}Weekly Federal Register Summary, Week Of 9/28/2003, Prepared By Naval Facilities Engineering Service Center

^{xiii}Weekly Federal Register Summary, Week Of 10/26/2003, Prepared By Naval Facilities Engineering Service Center

^{xiv}Weekly Federal Register Summary, Week Of 10/26/2003, Prepared By Naval Facilities Engineering Service Center

^{xv}Weekly Federal Register Summary, Week Of 10/26/2003, Prepared By Naval Facilities Engineering Service Center

^{xvi}<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/15Oct03/26.doc.html>

^{xvii}http://www.epa.gov/region03/ebytes/ebytes10_03_03.html

^{xviii}http://www.epa.gov/region03/ebytes/ebytes10_10_03.html

^{xix}http://www.epa.gov/region03/ebytes/ebytes09_26_03.html